



FEB 03 2004

PATENT

Attorney Docket No. A-68534-2/RBC/VEJ  
Attorney Matter No. 463357-00016  
Application No. 10/608,933

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Dietrich W. GRABIS et al.**

Application No. **10/608,933**

Filed: **June 27, 2003**

For: **METHOD AND DEVICE TO  
PROTECT SYRINGES AND  
SIMILAR MEDICAL  
INSTRUMENTS**

Art Unit: **3763**

Examiner: **To be assigned**

Docket No.: **A-68534-2/RBC/VEJ**

*Certificate of Mail (37 C.F.R. § 1.8(a))*

*I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1-30-04.*

Patricia A. Diehl  
Patricia A. Diehl

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information

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Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.

This Application relies on the earlier filing date of prior Application No. 09/995,960 filed November 27, 2001, under 35 U.S.C. § 120. It is understood that the Examiner will consider information that was submitted to or cited by the Office in such prior applications. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2). Copies of documents previously submitted to or cited by the Office in the prior application are not required to be provided in this application and thus are not attached. 37 C.F.R. § 1.98(d).

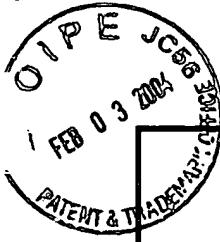
The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 463357-00016; Docket No. A-68534-2/RBC/VEJ).

Respectfully submitted,

Date: 1/30/2004

By:   
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Filed Under 37 C.F.R. § 1.34(a)

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Substitute for form 1449A/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **1** Attorney Docket Number **A-68534-2/RBC/VEJ****Complete if Known**

Application Number	<b>10/608,933</b>
Filing Date	<b>June 27, 2003</b>
First Named Inventor	<b>Dietrich W. GRABIS et al.</b>
Group Art Unit	<b>3763</b>
Examiner Name	<b>To be assigned</b>

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	<b>A1</b>	<b>3,656,472</b>	<b>04-18-1972</b>	<b>Ben Moura</b>	
	<b>A2</b>	<b>3,880,163</b>	<b>04-29-1975</b>	<b>Ritterskamp</b>	
	<b>A3</b>	<b>4,228,922</b>	<b>10-21-1980</b>	<b>Takeshita</b>	
	<b>A4</b>	<b>5,147,303</b>	<b>09-15-1992</b>	<b>Martin</b>	
	<b>A5</b>	<b>5,279,582</b>	<b>01-18-1994</b>	<b>Davidson et al.</b>	
	<b>A6</b>	<b>5,411,487</b>	<b>05-02-1995</b>	<b>Castagna</b>	
	<b>A7</b>	<b>5,527,294</b>	<b>06-18-1996</b>	<b>Weatherford et al.</b>	
	<b>A8</b>	<b>5,554,130</b>	<b>09-10-1996</b>	<b>McDonald et al.</b>	
	<b>A9</b>	<b>5,591,138</b>	<b>01-07-1997</b>	<b>Vaillancourt</b>	
	<b>A10</b>	<b>5,885,257</b>	<b>03-23-1999</b>	<b>Badger</b>	
	<b>A11</b>	<b>6,322,540</b>	<b>11-27-2001</b>	<b>Grabis et al.</b>	
	<b>A12</b>				
	<b>A13</b>				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	<b>A14</b>					
	<b>A15</b>					
	<b>A16</b>					
	<b>A17</b>					
	<b>A18</b>					

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	<b>A19</b>		
	<b>A20</b>		
	<b>A21</b>		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

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